IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 34024 of 2006(A)
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PETITIONER:
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FR.K.T.MATHEW, VICAR,
ST.JOHN'S CHURCH, KUTTUR, KANNUR DISTRICT.

BY ADV. SRI.V.C.JAMES
SRI.SERGI JOSEPH THOMAS

RESPONDENTS:
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1. THE SUPDT. OF POLICE, KANNUR.

2. THE C.I. OF POLICE, PAYYANNUR,
KANNUR DISTRICT.

3. THE S.I. OF POLICE, PERINGOME,
KANNUR DISTRICT.

4. THE TAHSILDAR, TALIPARAMBA,
KANNUR DISTRICT.

5. HARITHAN.A.P., S/O.LATE ACHUTHAN,
SEVAGRAM, KADALAYI POST, KANNUR.

BY ADV. SRI.T.A.RAMADASAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the Document No. 1113/1977 dated 8.11.1977 of SRO, Mathamangalam.

Ext.P2: True copy of the Encumbrance Certificate No.956/06 dated 1.4.2006 and Certificate No.589/2006 dated 28.2.2006.

Ext.P3: True copy of the Act published in the Kerala Gazette, Extraordinary dated 18.10.2006.

Ext.P4: True copy of the decision of the Parish Council

Ext.P5: True copy of the Mass Petition submitted to the Bishop, Kannur.

Ext.P6: True copy of the petition submitted by the petitioner before the 1st respondent dated 8.6.2006.

Ext.P7: True copy of the Judgment dated 3.11.2006 in W.A. No.2017/2006 of this Hon'ble Court.

Ext.P8: True copy of the petition submitted by the petitioner before the 1st respondent dated 14.11.2006.

Ext.P9: True copy of the petition submitted by the Petitioner before the 1st respondent dated 11.12.2006.

RESPONDENTS' EXHIBITS

Ext.R5(a: True copy of the partition deed No.1723/1957 of SRO, Pazhayangadi

Ext.R5(b)): True copy of the draft statement.

Ext.R5(c): True copy of the order of the Land Board, dated 10.3.1976

Ext.R5(d): True copy of the petition filed before the Land Board, Taliparamba in Taluk Land Board 536/73.

Ext.R5(e): True copy on the file of the order of the Taluk Land Board , Taliparamba dated 30.8.1979.

Ext.R5(f): True copy of the complaint filed by the petitioner before the Police dated 19.12.2006.

Ext.R5(g): True copy of the complaint filed by the petitioner in C.M.P 5548/2006

Ext.R5(h): True copy of the decree in O.S. 158/2003 of Munsiff Court Payyannur

Ext.R5(i): True copy of the order in I.A. 263/07 in O.S. 50/07 of the Munsiff Court, Payyannur.

//True copy/

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

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W.P.(C) NO. 34024 OF 2006-A

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Dated 12th September, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, praying for police protection to construct a compound wall for the property covered by Ext.P1. The police cannot fix the boundary of the property covered by Ext.P1 and render protection. If the petitioner wants to construct the compound wall and if somebody obstructs the same, his remedy is to move the competent civil court and not to seek police assistance through this Court. Accordingly, the writ petition is closed without prejudice to the contentions of the petitioner.

**K.BALAKRISHNAN NAIR, JUDGE**.

**T.R.RAMACHANDRAN NAIR, JUDGE.**

Nm/